

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

GARY WHITTEN and GLORIA WHITTEN,
Plaintiffs,

-against-

LASKO METAL PRODUCTS and LASKO PRODUCTS, INC.,
Defendants

STIPULATED ORDER OF
DISMISSAL

Case No.: 5:09-cv-420
(GTS/DEP)

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all the parties to the above-entitled matter, that whereas no party is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above-entitled action be, and the same hereby is, discontinued with prejudice without cost to any party as against any other. This stipulation may be filed without further notice with the Clerk of the Court.

Per NDNY Local Rule 68.2(a), this action shall be dismissed without prejudice to the right to secure reinstatement of the case within thirty (30) days after the date of judgment entered by the Court by making a showing that the settlement was not, in fact, consummated.

Dated:

5/10/10

LAW OFFICE OF DANIEL W. COFFEY

Daniel W. Coffey, Esq.

Bar Roll No.: 506125

Attorneys for Plaintiff H-N-C Leasing, Inc.

119 Washington Avenue

Albany, NY 12210

Dated:

5/13/10

GOLDBERG SEGALLA LLP

John R. Freedenberg, Esq.

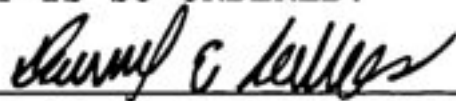
Bar Roll No.: 509130

*Attorneys for Defendants Lasko Metal Products and
Lasko Products, Inc.*

665 Main Street, Suite 400

Buffalo, NY 14203-1425

IT IS SO ORDERED:



David E. Peebles

U.S. Magistrate Judge

Dated: May 19, 2010

Syracuse, NY